

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

SCOTT T. BALLOCK

Case No.: 1:17-CV-52

Plaintiff,

v.

JURY TRIAL REQUESTED

**ELLEN RUTH COSTLOW,
STATE TROOPER MICHAEL KIEF,
STATE TROOPER RONNIE M. GASKINS,
and
STATE TROOPER CHRIS BERRY,**

Defendants.

**PLAINTIFF'S OPPOSITION TO TROOPER DEFENDANTS'
MOTION FOR SUMMARY JUDGMENT**

Family Court order of June 11, 2013, cited at page 10.

Exhibit No. 4

IN THE FAMILY COURT OF MONONGALIA COUNTY, WEST VIRGINIA

IN RE: THE MARRIAGE/CHILDREN OF:

**ELLEN BALLOCK,
Petitioner,**

and

**Civil Action No. 12-D-529
Family Court Judge Minor**

**SCOTT BALLOCK,
Respondent.**

ORDER FOLLOWING EMERGENCY HEARING

On May 23, 2013, this matter came on for an emergency hearing upon the Guardian ad Litem's "Interim Report and Motion for Temporary Relief" before the Honorable Randal Minor. The Petitioner, Ellen Ballock, appeared in person and with her counsel, Amber Urtso Sellaro and Matthew A. Stout. The Respondent, Scott Ballock, also appeared in person and with his counsel, Delby B. Pool. Also appearing was the Guardian ad Litem, Teresa J. Lyons.

In addition to concerns about outstanding discovery requests, the Court addressed concerns raised by the Guardian ad litem about the exposure of the parties' daughter to a registered sex offender and about the various negative communications by the Respondent's father, Tom Ballock, regarding the Petitioner. Upon the proffer of the Guardian ad litem and of counsel and upon the testimony of the parties regarding these matters, the Court does hereby

ORDER the following:

1. The Petitioner shall provide her discovery responses by May 24, 2013. She shall be charged \$50.00 for each day thereafter that her responses are delinquent.
2. All websites featuring, referencing, or mentioning Ellen Ballock, Ellen Costlow, or any alias or nickname of Ellen Ballock and all websites featuring, referencing, or mentioning this divorce action or related litigation shall be permanently closed – and removed if possible – within forty-eight (48) hours of this hearing. This shall include – but is not limited to – ellenballock.com, ballock.com, ellencostlowballock.com, ellencostlow.com, daughterinlawfromhell.com, ashleeleeson.com. In the event that these sites are not closed

and/or removed within forty-eight hours, the Respondent and the children shall live separately from his father, Tom Ballock, within seven (7) days of this hearing.

3. Neither party shall engage in any type of communication with or behavior toward the children or in the presence of the children that provides them with information about this litigation or related matters, including but not limited to, the parties' sexual activities. The parties shall also prohibit any third party from engaging in these communications or behaviors with the children.
~~Each party shall take all reasonable steps to avoid exposing the children in
Neither party shall allow any exposure of any type whatsoever to a registered sex offender
once there has been a disclosure of the sex offender status.~~ Further, the children shall not be within 200 feet of Karl Vincent Taylor, a known sex offender, nor shall they have any contact whatsoever with him. Any violation of this provision may result in the loss of custodial responsibility for the violating parent. (PM)
4. Neither party shall permit the children to enter a bar or Hot Spot or similar establishment.
5. Both children shall be engaged in counseling with Diane Halbritter no later than June 11, 2013. The parties' son, [REDACTED] is scheduled for June 11. In the event that the daughter cannot be scheduled with Ms. Halbritter before that date, she can be scheduled then instead of the son. The frequency of these counseling appointments for the children shall be determined by the counselor, but the Court anticipates no less than twice monthly appointments. The parties shall be bound by the recommendations of the counselor, and neither party or any third party shall do anything to undermine these counseling sessions. Both parties shall have equal access to the counselor, as per the discretion of the counselor. A copy of this Order shall be provided to the counselor.
6. Upon entry, the Clerk shall provide certified copies of this Order to the following:

Teresa J. Lyons, Esq.
Hedges Lyons & Shepherd, PLLC
141 Walnut Street
Morgantown, WV 26505

Delby B. Pool, Esq.
Delby B. Pool & Associates
230 Court Street
Clarksburg, WV 26301

Amber Urtso Sellaro, Esq.
Sal Sellaro Thorn Culpepper Legal Group, PLLC
430 Spruce Street, Suite 3
Morgantown, WV 26505

ENTERED: 6/11/13



The Honorable Randal Minor
Family Court Judge